

MONTANA SENATE
2007 LEGISLATURE

STATE ADMINISTRATION

ROLL CALL

DATE 2-19-07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. JOE BALLYEAT (R)	✓		
SEN. VICKI COCCHIARELLA (D)	✓		
SEN. JEFF ESSMANN (R)	✓		
SEN. STEVE GALLUS (D)	✓		
SEN. LARRY JENT (D)	✓		
SEN. RICK LIABLE (R)	✓		
SEN. JESSE LASLOVICH (D)	✓		
SEN. DAVE LEWIS (D)	✓		
SEN. JIM SHOCKLEY(R)	✓		
SEN. JOE TROPILA (D)	✓		
SEN. CAROLYN SQUIRES (D) CHAIR	✓		
DAVE BOHYER, LSD	✓		
CAROL ANDERSEN, SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

February 20, 2007

Page 1 of 1

Mr. President:

We, your committee on **State Administration** recommend that **Senate Bill 443** (first reading copy -- white) **do pass**.

Signed: _____

Carolyn Squires
Senator Carolyn Squires, Chair

- END -

Committee Vote:

Yes 8, No 0

Fiscal Note Required —

Kf

381220SC.ssc



SENATE STANDING COMMITTEE REPORT

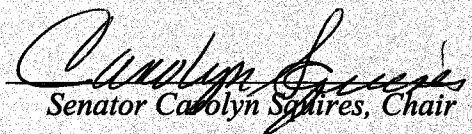
February 20, 2007

Page 1 of 1

Mr. President:

We, your committee on **State Administration** recommend that **Senate Bill 172** (first reading copy -- white) **do pass as amended.**

Signed:


Senator Carolyn Squires, Chair

And, that such amendments read:

1. Page 2, line 22.

Strike: "by"

Insert: "of"

- END -

Committee Vote:

Yes 8, No 0

Fiscal Note Required ☐

Kf

381221SC.ssc



SENATE STANDING COMMITTEE REPORT

February 20, 2007

Page 1 of 1

Mr. President:

We, your committee on **State Administration** recommend that **Senate Bill 459** (first reading copy -- white) **do pass as amended.**

Signed: _____

Carolyn Squires
Senator Carolyn Squires, Chair

And, that such amendments read:

1. Page 3, line 21.

Following: "bidder" on line 21

Insert: ", if any,"

- END -

Committee Vote:

Yes 8, No 1

Fiscal Note Required _____

K

381222SC.ssc



SENATE STANDING COMMITTEE REPORT

February 20, 2007

Page 1 of 2

Mr. President:

We, your committee on **State Administration** recommend that **Senate Bill 91** (first reading copy -- white) do pass as amended.

Signed: _____

Carolyn Squiggles
Senator Carolyn Squiggles, Chair

And, that such amendments read:

1. Page 1, line 11.

Following: "use."

Insert: "(1) A constituent services account is an account established by a person holding a public office in which funds are deposited and used for expenses in representing constituents or for travel or expenses related to the individual's elected position. A public official may establish an account by filing an appropriate form with the commissioner."

Renumber: subsequent subsections

2. Page 1, line 12.

Following: "account."

Insert: "No other funds may be deposited into a constituent services account. Deposits and disbursements from the account are subject to the recordkeeping requirements of Title 13."

3. Page 1, line 13.

Strike: "may"

Insert: "must"

4. Page 1, lines 14 through 16.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

5. Page 1, lines 18 and 19.

Committee Vote:

Yes 11, No 0

Fiscal Note Required — *Kf*

381223SC.ssc

February 20, 2007

Page 2 of 2

Following: "must" on line 18

Strike: remainder of line 18 through "and" on line 19

- END -



SENATE STANDING COMMITTEE REPORT

February 20, 2007

Page 1 of 2

Mr. President:

We, your committee on **State Administration** recommend that **Senate Bill 96** (first reading copy -- white) do pass as amended.

Signed:

Carolyn Squires
Senator Carolyn Squires, Chair

And, that such amendments read:

1. Title, line 15.

Following: "SIGNATURES;"

Insert: "ALLOWING AN INDIVIDUAL TO SIGN AND SUBMIT A PETITION AND AN AFFIDAVIT ON THE INDIVIDUAL'S OWN BEHALF ONLY;"

2. Page 2, line 7.

Following: "(3)"

Insert: "(a)"

3. Page 2, line 9.

Following: line 8

Insert: "(b)(i) In an original proceeding under subsection (3)(a), the petitioner and the attorney general shall certify the absence of factual issues or shall stipulate to and file any factual record necessary to the supreme court's consideration of the attorney general ballot statements or legal sufficiency.

(ii) If the parties to an original proceeding under subsection (3)(a) fail to make the certification or stipulation required by subsection (3)(b)(i), the supreme court shall refer the proceeding to the district court in and for the county of Lewis and Clark for development of a factual record and an order that addresses the issues provided in 13-27-316(3). Any party may appeal the order of the district court to the supreme court by filing a notice of appeal within 5 days of the date of the order of the district court."

4. Page 14, line 6.

Following: "signatures."

Committee Vote:

Yes 11, No 0

Fiscal Note Required

Kf

381224SC.ssc

Insert: "(1)"

Strike: "An"

Insert: "Except as provided in subsection (2), an"

5. Page 14.

Following: line 23

Insert: "(2) (a) An individual may directly submit the individual's own signature by submitting an affidavit, in substantially the form provided in this subsection (2)(a). The affidavit must appear on the petition signed by the individual or be attached to the sheet submitted to the county official.

I swear that I, the undersigned, have signed the petition to which this affidavit is attached, that I am a Montana elector who is registered at the address listed below, and that I knew the contents of the petition before signing the petition.

(Signature of signatory on petition)

(Date on which signatory signed the petition)

(Address of signatory)

(b) An individual submitting a petition and affidavit under this subsection (2) may submit the petition and affidavit in person at the office of the county official or by United States mail."

- END -



SENATE STANDING COMMITTEE REPORT


February 20, 2007

Page 1 of 1

Mr. President:

We, your committee on **State Administration** recommend that **Senate Resolution 3** (first reading copy -- white) **do pass**.

Signed:


Senator Carolyn Squires, Chair

- END -

Committee Vote:

Yes 10, No 1

Fiscal Note Required ☐

KF

381227SC.ssc



SENATE STANDING COMMITTEE REPORT

February 20, 2007

Page 1 of 1

Mr. President:

We, your committee on **State Administration** recommend that **Senate Resolution 5** (first reading copy -- white) **do pass**.

Signed: _____

Carolyn Squires
Senator Carolyn Squires, Chair

- END -

Committee Vote:

Yes 11, No 0

Fiscal Note Required _____

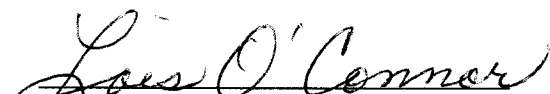
KF

381228SC.ssc

COMMITTEE FILE COPY

TABLED BILL

The **SENATE STATE ADMINISTRATION COMMITTEE** TABLED **SB 310**, by motion, on **Monday, February 19, 2007**.


(For the Committee)


(Secretary of the Senate)

_____, 2-20
(Time) (Date)

February 20, 2007

Lois A. O'Connor, Secretary

Phone: 444-4772

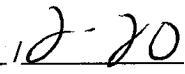
COMMITTEE FILE COPY

TABLED BILL

The **SENATE STATE ADMINISTRATION COMMITTEE** TABLED **SB 247**, by motion, on **Monday, February 19, 2007**.


(For the Committee)


(Secretary of the Senate)


(Time) (Date)

February 20, 2007

Lois A. O'Connor, Secretary

Phone: 444-4772

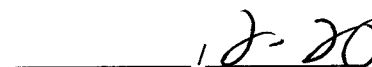
COMMITTEE FILE COPY

TABLED BILL

The **SENATE STATE ADMINISTRATION COMMITTEE** TABLED SB 333, by motion, on **Monday, February 19, 2007.**


(For the Committee)


(Secretary of the Senate)


(Time) (Date)

February 20, 2007

Lois A. O'Connor, Secretary

Phone: 444-4772

MONTANA STATE SENATE
2007 LEGISLATURE

STATE ADMINISTRATION

ROLL CALL VOTE

DATE 2-19-07 BILL NO. SB-310 NUMBER

MOTION: TABLE

Passed 9-2

NAME	AYE	NO
SEN. JOE BALLYEAT (R)	✓	
SEN. VICKI COCCHIARELLA (D)	✓	
SEN. JEFF ESSMANN (R)	✓	
SEN. STEVE GALLUS (D)	✓	
SEN. LARRY JENT (D)	✓	
SEN. RICK LAIBLE (R)	✓	
SEN. JESSE LASLOVICH (D)	✓	
SEN. DAVE LEWIS (R)		✓
SEN. JIM SHOCKLEY (R)		✓
SEN. JOE TROPILA (D)	✓	
SEN. CAROLYN SQUIRES (D) - CHR	✓	
	9	2

P

MONTANA STATE SENATE
2007 LEGISLATURE

STATE ADMINISTRATION

ROLL CALL VOTE

DATE 2- BILL NO. SB-333 NUMBER _____

MOTION: TABLE

Passed 8-3

NAME	AYE	NO
SEN. JOE BALLYEAT (R)	✓	
SEN. VICKI COCCHIARELLA (D)	✓	
SEN. JEFF ESSMANN (R)	✓	
SEN. STEVE GALLUS (D)	✓	✓
SEN. LARRY JENT (D)		✓
SEN. RICK LAIBLE (R)	✓	
SEN. JESSE LASLOVICH (D)		✓
SEN. DAVE LEWIS (R)	✓	
SEN. JIM SHOCKLEY (R)	✓	
SEN. JOE TROPILA (D)	✓	
SEN. CAROLYN SQUIRES (D) - CHR	✓	
	8	3

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator

Cochiarolla

to vote my proxy on any issue before the Senate

State Administration Committee

held on _____, 2007.

SB 91 yes

SB 310 Table yes

Amend SB 96 ~~yes~~ no

SB 96 as amended yes

SB 333 Table no

W. Gallus
SENATOR
STATE OF MONTANA

SJS yes

**MONTANA STATE SENATE
2007 LEGISLATURE**

STATE ADMINISTRATION

VISITOR REGISTER

DATE February 19, 2007

BILLS BEING HEARD TODAY SB-443; SB-172; SB-459

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Vickie Zerer	258-3234	MACR	443	✓	
Sheryl Olson	444-3307	DOA	459	✓	
Diane Winklow	256-2742	MACR	443	✓	
Blaine Dandridge	266-5604	Sen. State	443	✓	
Jeanne Souvignier	581-8942	MCUFE	443	✓	
Jason Smith	442-1708	AFL-CIO	443	✓	
Don Judge	459-1708	Teamsters Local 190	SB 443	✓	
E. Andrews	459-1377	MT Comm. on Career	443	✓	
Linda Cryer	431-3633	League of W. Voters	443	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

St. Ad.



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # SB0091

Title: Regulate constituent accounts

Primary Sponsor: Williams, C.

Status: As Introduced

- ☐ Significant Local Gov Impact
 ☒ Needs to be included in HB 2
 ☐ Technical Concerns
☐ Included in the Executive Budget
 ☐ Significant Long-Term Impacts
 ☐ Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$5,300	\$21,000	\$21,525	\$22,063
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>(\$5,300)</u>	<u>(\$21,000)</u>	<u>(\$21,525)</u>	<u>(\$22,063)</u>

Description of Fiscal Impact:

The anticipated costs of the bill are for rulemaking and the associated legal costs for guidance and informal opinions. Other anticipated legal costs are for the investigation and resolution of formal complaints filed with the Commissioner of Political Practice office.

FISCAL ANALYSIS

Assumptions:

1. The Commissioner of Political Practice will continue to secure contracted legal services on a time and materials basis. In FY 2008 rulemaking review is estimated at \$1,700 and legal services are estimated at 40 hours at \$90 per hour = \$3,600.
2. In FY 2009, an estimate of 4 formal complaints will be investigated and resolved. Legal services for each complaint average \$3,000 = \$12,000. Informal inquiries of legal services are estimated at 100 hours at \$90 per hour = \$9,000.
3. In FY 2010 and FY 2011, a 2.5% inflation factor is assumed to determine costs for the 2011 biennium.
4. Informal opinions and the resolution of formal complaints will be required to define and clarify program requirements.

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$5,300	\$21,000	\$21,525	\$22,063
<u>Funding of Expenditures:</u>				
General Fund (01)	\$5,300	\$21,000	\$21,525	\$22,063
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$5,300)	(\$21,000)	(\$21,525)	(\$22,063)

Sponsor's Initials

Date

Budget Director's Initials

1/2/07
Date

St. Al.



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note – 2009 Biennium

Bill #	SB0096	Title:	Generally revise initiative and referendum process
Primary Sponsor:	Williams, C.	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Include in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

Description of Fiscal Impact:

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL ANALYSIS

Assumptions:

1. This bill has no fiscal impact to the state.

Carol Williams 1-4-07
Sponsor's Initials Date

B. Jones
Budget Director's Initials

1/2/07
Date

St. Ad.



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Pension Fund Fiscal Note 2009 Biennium

Bill # SB0247

Title: Revise minimum benefit in highway patrol retirement system

Primary Sponsor: Elliott, Jim

Status: As Introduced

Retirement Systems Affected: ☐ Teachers ☐ Public Employees ☒ Highway Patrol ☐ Police
☐ Sheriffs ☐ Firefighters ☐ Volunteer Firefighters ☐ Game Wardens ☐ Judges

- ☐ Has this legislation been reviewed by the legislative interim committee?
☒ Has the cost of this legislation been calculated by the system's actuary?
☐ Does this legislation include full funding for any benefit revisions?

Highway Patrol Officer's Retirement System

	July 1, 2006 Current System	July 1, 2006 With Changes	Increase (Decrease)
Present Value of Actuarial Liability	\$112,002,000	\$117,978,000	\$5,976,000
Present Value of Actuarial Assets	\$87,189,000	\$87,189,000	\$0
Actuarial Accrued Liability (AAL) Unfunded/(Funded)	\$24,813,000	\$30,789,000	\$5,976,000
Amortization Period of AAL	18.0	24.8	6.8

	July 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
Employee Contribution Rate	9.05%	9.05%	9.05%	9.05%	9.05%
Employer Contribution Rate	26.15%	26.15%	26.15%	26.15%	26.15%
State Contribution Rate	10.18%	10.18%	10.18%	10.18%	10.18%
TOTAL Contribution Rate	45.38%	45.38%	0.00%	45.38%	45.38%

FISCAL SUMMARY

	FY 2007 Difference	FY 2008 Difference	FY 2009 Difference	FY 2010 Difference	FY 2011 Difference
Expenditures:					
General Fund	\$0	\$0	\$0	\$0	\$0
Other - Pension Funds	\$120,482	\$290,367	\$289,053	\$287,005	\$284,149
Revenue:					
General Fund	\$0	\$0	\$0	\$0	\$0
Other - Pension Funds	\$0	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact:

SB 247 increases retirement benefits to probationary highway patrol officers and increases the unfunded liability by \$5.976 million and the amortization period by 6.8 years. There is no additional funding provided in this SB 247 to fund these benefit increases. The additional funding rate needed to maintain the current amortization period is 5.60% of payroll.

FISCAL ANALYSIS**Assumptions:**

1. The actuarial impact is based on the July 1, 2006 actuarial valuation.
2. This is the only statutory amendment being considered.
3. Emerging costs may vary from those presented in this letter to the extent actual experience differs from that projected by the actuarial assumptions.
4. That the "base salary" for a probationary highway patrol officer would increase at the actuarial assumed rate of 4.25%. minimum (floor) is the member's service credits times the "base salary" times 2%. This amount is different for every member based on the time they served.
5. The maximum (cap) is the monthly "base salary" times 60% (For FY 2007 \$3,139.07*0.60 = \$1,883.44)
6. The current law projected benefit is assumed to increase at 5% unless it is
 - a. raised to the floor of the minimum, or
 - b. capped at the maximum monthly benefit.
7. Eliminates the current law 5% cap to the minimum benefit adjustment.
8. The proposed law goes into effect upon passage so there would be a FY 2007 impact.

	2007 BENEFIT	2008 BENEFIT	2009 BENEFIT	2010 BENEFIT	2011 BENEFIT
SB247 Projected Monthly Benefits Paid	172,473	179,650	187,286	195,245	203,543
Current Law Projected Monthly Benefits Paid	<u>148,377</u>	<u>155,453</u>	<u>163,198</u>	<u>171,328</u>	<u>179,864</u>
Monthly Difference	24,096	24,197	24,088	23,917	23,679
5-month Difference	120,482				
Annual Difference		290,367	289,053	287,005	284,149

	<u>FY 2007 Difference</u>	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
<u>Fiscal Impact:</u>					
<u>Expenditures:</u>					
Benefits	\$120,482	\$290,367	\$289,053	\$287,005	\$284,149
TOTAL Expenditures	<u>\$120,482</u>	<u>\$290,367</u>	<u>\$289,053</u>	<u>\$287,005</u>	<u>\$284,149</u>
<u>Funding of Expenditures:</u>					
General Fund (01)	\$0	\$0	\$0	\$0	\$0
Other - Pension Fund (09)	\$120,482	\$290,367	\$289,053	\$287,005	\$284,149
TOTAL Funding of Exp.	<u>\$120,482</u>	<u>\$290,367</u>	<u>\$289,053</u>	<u>\$287,005</u>	<u>\$284,149</u>
<u>Revenues:</u>					
General Fund (01)	\$0	\$0	\$0	\$0	\$0
Other - Pension Fund (09)	\$0	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>					
General Fund (01)	\$0	\$0	\$0	\$0	\$0
Other - Pension Trust (09)	(120,482)	(290,367)	(289,053)	(287,005)	(284,149)

Technical Notes:

1. This bill does not provide funding for the additional benefit.
2. This benefit normally is calculated annually with the distributions starting in July (the beginning of the fiscal year).
3. The cap would be eliminated immediately, thereby providing a significant increase to some members upon passage and impacting FY 2007.

Sponsor's Initials_____
Date_____
Budget Director's Initials_____
Date

Amendments to Senate Bill No. 172
2nd Reading Copy

For the Senate State Administration Committee

Prepared by Dave Bohyer
February 20, 2007 (8:31am)

1. Page 2, line 22.

Strike: "by"

Insert: "of"

- END -

Amendments to Senate Bill No. 459
1st Reading Copy

Requested by Senator Joe Balyeat

For the Senate State Administration Committee

Prepared by Andrew Geiger
February 20, 2007 (8:55am)

1. Page 3, line 21.

Following: "bidder" on line 21

Insert: ", if any,"

- END -

Amendments to Senate Bill No. 91
1st Reading Copy

Requested by Senator Carol Williams

For the Senate State Administration Committee

Prepared by Greg Petesch
February 6, 2007 (4:54pm)

1. Page 1, line 11.

Following: "use."

Insert: "(1) A constituent services account is an account established by a person holding a public office in which funds are deposited and used for expenses in representing constituents or for travel or expenses related to the individual's elected position. A public official may establish an account by filing an appropriate form with the commissioner."

Renumber: subsequent subsections

2. Page 1, line 12.

Following: "account."

Insert: "No other funds may be deposited into a constituent services account. Deposits and disbursements from the account are subject to the recordkeeping requirements of Title 13."

3. Page 1, line 13.

Strike: "may"

Insert: "must"

4. Page 1, lines 14 through 16.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

5. Page 1, lines 18 and 19.

Following: "must" on line 18

Strike: remainder of line 18 through "and" on line 19

- END -

Amendments to Senate Bill No. 96
1st Reading Copy

Requested by Senator Carol Williams

For the Senate State Administration Committee

Prepared by Dave Bohyer
February 20, 2007 (12:09pm)

1. Title, line 15.

Following: "SIGNATURES;"

Insert: "ALLOWING AN INDIVIDUAL TO SIGN AND SUBMIT A PETITION AND
AN AFFIDAVIT ON THE INDIVIDUAL'S OWN BEHALF ONLY;"

2. Page 2, line 7.

Following: "(3)"

Insert: "(a)"

3. Page 2, line 9.

Following: line 8

Insert: "(b)(i) In an original proceeding under subsection
(3)(a), the petitioner and the attorney general shall
certify the absence of factual issues or shall stipulate to
and file any factual record necessary to the supreme court's
consideration of the attorney general ballot statements or
legal sufficiency.

(ii) If the parties to an original proceeding under
subsection (3)(a) fail to make the certification or stipulation
required by subsection (3)(b)(i), the supreme court shall refer
the proceeding to the district court in and for the county of
Lewis and Clark for development of a factual record and an order
that addresses the issues provided in 13-27-316(3). Any party
may appeal the order of the district court to the supreme court
by filing a notice of appeal within 5 days of the date of the
order of the district court."

4. Page 14, line 6.

Following: "**signatures.**"

Insert: "(1)"

Strike: "An"

Insert: "Except as provided in subsection (2), an"

5. Page 14.

Following: line 23

Insert: "(2) (a) An individual may directly submit the
individual's own signature by submitting an affidavit, in
substantially the form provided in this subsection (2)(a).
The affidavit must appear on the petition signed by the
individual or be attached to the sheet submitted to the

county official.

I swear that I, the undersigned, have signed the petition to which this affidavit is attached, that I am a Montana elector who is registered at the address listed below, and that I knew the contents of the petition before signing the petition.

(Signature of signatory on petition)

(Date on which signatory signed the petition)

(Address of signatory)

(b) An individual submitting a petition and affidavit under this subsection (2) may submit the petition and affidavit in person at the office of the county official or by United States mail."

- END -